



Insurance Institute of Michigan

Insurance Institute of Michigan Position
Motorcycle Helmet Law
Senate Bill 297 and House Bill 4505
As of May 22, 2006

The Insurance Institute of Michigan (IIM) is opposing legislation (Senate Bill 297 and House Bill 4505) that would repeal the state's mandatory helmet law for certain motorcyclists, resulting in more severe injuries and driving up the cost of insurance for policyholders.

Michigan has a mandatory helmet use law for all riders and passengers. According to the National Highway Traffic Administration, helmets are about 29 percent effective in preventing motorcycle deaths and 67 percent effective in preventing brain injuries. An unhelmeted rider is 40 percent more likely to suffer a fatal head injury, compared with a rider with a helmet.

In Michigan during 2005, motorcycle fatalities were up more than 50 percent from the year. Last year, there were 3,321 motorcycle-related crashes in Michigan. These crashes resulted in 122 deaths and another 3,053 injuries. The number of registered motorcycles in Michigan also continued to increase.

If the mandatory helmet requirement is limited to certain riders, there will be a significant increase in severe head injuries and deaths from motorcycle crashes. Death rates from head injuries have been shown to be twice as high among motorcyclists in states with no helmet laws or laws that apply only to young riders, compared with states where laws apply to all riders.

Motorcycle deaths and injuries are on the rise after the repeal of mandatory helmet laws in Florida, Kentucky and Louisiana. The National Highway Traffic Safety Administration found that in the three years after Florida's repeal of its mandatory helmet law in 2000, 933 motorcyclists were killed, an 81 percent increase. Another study found that fatalities grew by more than 50 percent in Kentucky and 100 percent in Louisiana after those states struck down mandatory helmet laws.

Motorcycle crashes also account for a disproportionate share of money paid out of the Michigan Catastrophic Claims Association (MCCA), a fund which is supported by a surcharge on every auto insurance policy in this state. Although motorcyclists represent 1.7 percent of the assessments paid into the MCCA, they account for 6.7 percent of all claims reported.

Since its inception in 1978, MCCA has reimbursed member insurers more than \$210 million for 503 motorcycle injury claims exceeding the threshold. Total reimbursement for all claims exceeds \$4.4 billion. If the mandatory helmet law is repealed, serious injuries to motorcyclists will rise. Since Michigan's no-fault law allows lifetime benefits for all "reasonable and necessary" medical costs, the number of claims and the amount paid by the MCCA to reimburse insurance companies will increase, causing all policyholders in Michigan to pay more.

Opponents of the mandatory helmet law believe that it infringes on individual freedom of choice and the right to privacy. They argue that individuals who do not wear helmets harm mainly themselves. However, that is really not the case. The consequences of that person's decision not to wear a helmet is borne by all of society through higher insurance premiums, lost productivity and increased health care costs.

In Florida after the helmet law was repealed, the cost of hospital care for motorcycle injuries grew from \$21 million to \$44 million in the 30 months after the law changed.

The state's mandatory helmet law for all motorcyclists saves lives and holds down costs associated with such crashes.

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